

**IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE
DISTRICT OF TENNESSEE AT NASHVILLE**

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|------------------------------------|---|-------------------------------|
| DARCYE MANNING, |) | |
| |) | |
| Plaintiff, |) | No. |
| v. |) | |
| |) | JUDGE _____ |
| GLENN BLOODWORTH and UNITED |) | MAGISTRATE JUDGE _____ |
| PARCEL SERVICE, INC., |) | |
| |) | JURY DEMAND |
| Defendant. |) | |

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. § 1332, 1441, and 1446, Defendant, United Parcel Service, Inc., by counsel, files this Notice of Removal of this action from the Circuit County Court in Davidson County, Tennessee, where it is now pending, to the United States District Court for the Middle District of Tennessee based upon diversity of citizenship and an amount in controversy exceeding \$75,000.00. The grounds for removal are as follows.

Procedural Background

1. This action was commenced on or about February 26, 2024 by Plaintiff's filing of the Complaint in the Davidson County Circuit Court in Davidson County, Tennessee, Case No. 24C476 (the "Complaint"). True and accurate copies of the pleadings filed in this action and summons are attached as *Exhibit A*.

2. The Complaint was served on United Parcel Service, Inc. on March 7, 2024. The Notice of Removal is being filed within thirty (30) days after service of the Complaint in the matter; therefore, the removal is timely in accordance with 28 U.S.C. § 1446.

3. Defendant Glenn Bloodworth consents to the removal of this matter pursuant to 28 U.S.C. § 1446(b)(2)(A).

4. The Complaint contains allegations of negligence. The amount in controversy exceeds \$75,000.00 as the *ad damnum* in the Complaint seeks "in excess of \$1,000,000."

5. The Plaintiff is a citizen and a resident of Nashville, Davidson County, Tennessee.

6. The Defendant, United Parcel Service, Inc. is a corporation organized under the laws of Ohio, with its principal place of business located at 55 Glenlake Parkway NE, Atlanta, Georgia 30328.

7. Defendant Glenn Bloodworth is a citizen and resident of Franklin, Kentucky, residing at 619 Kitchens Road, Franklin, Kentucky 42134-8011.

7. The United States District Court for the Middle District of Tennessee has original jurisdiction over this action pursuant to 28 U.S.C. § 1332 as there is complete diversity of the parties, and the amount in controversy exceeds \$75,000.00 exclusive of interest and costs.

8. A copy of this Notice of Removal is being served by U.S. mail on the Plaintiff, and a Notice of Filing of Notice of Removal is being filed with the Davidson County Circuit Court in Nashville, Tennessee, in accordance with 28 U.S.C. § 1446(d). Copies of those notices are attached as *Exhibit B*. The necessary filing fees have been paid simultaneously with the filing of the Notice of Removal.

9. Defendant, United Parcel Service, Inc. demands a jury to try this case.

WHEREFORE, Defendant, United Parcel Service, Inc. prays this Court consider the Notice of Removal as provided by law governing removal of cases to this Court and that this Court enter the appropriate orders to effect the removal of this case from the Davidson County Circuit Court in Nashville, Tennessee to this Court.

Respectfully submitted,

/s/ David A. Chapman
David A. Chapman, Esq. (BPR #26238)

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Attorneys for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on this the 2nd day of April, 2024, a copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's electronic filing system.

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/s/ David A. Chapman
David A. Chapman